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PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hajime SAKATA, et al.)
Appln. No.: 09/626,740)
Filed: July 26, 2000)
For: OPTICAL WAVEGUIDE, METHOD)
OF FABRICATING THE)
WAVEGUIDE, AND OPTICAL)
INTERCONNECTION DEVICE)
USING THE WAVEGUIDE)

Examiner: Jean F. Duverne
Group Art Unit: 2839
June 6, 2002

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Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is responsive to the restriction requirement set forth in the Official
Action dated May 8, 2002.

In the Official Action, the Examiner sets forth the following two-way
restriction requirement:

- (1) Group I, consisting of Claims 1 through 22 and 37 through 39, which is
said to be drawn to an optical connector, classified in class 385, subclass 129; and
- (2) Group II, consisting of Claims 23 through 26 and 40, which is said to be
drawn to a fabrication of waveguide for optical connector, classified in class 29.

The Examiner contends that the inventions of Groups I and II are patentably distinct for the reasons succinctly set forth in the Official Action.

Applicants submit that the inventions of Groups I and II are so closely related in their field of search that a proper search of the subject matter of any of the claims would, of necessity, require a search of the other claims. Thus, it is submitted that all of the claims can be searched together, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicants also submit that any nominal burden placed upon the Examiner to search an additional classes(es) and/or subclass(es), necessary to determine the art relevant to Applicants' overall invention is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of such art. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This alternative places an unnecessary burden on not only the Patent and Trademark Office and but also on Applicant.

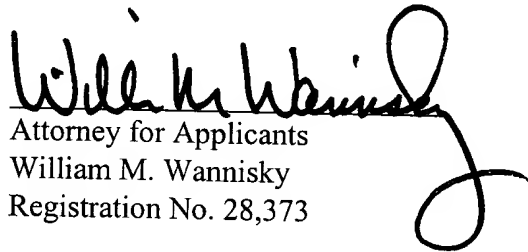
In the interest of economy, for the Patent and Trademark Office, for the public-at-large, and for Applicants, reconsideration and withdrawal of the restriction requirement are hereby requested.

In order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect, with traverse, to prosecute the invention of Group I, namely Claims 1 through 22 and 37 through 39.

Favorable reconsideration and an early passage to issue of the present application are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


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